

AMENDED IN ASSEMBLY JULY 10, 1997

AMENDED IN ASSEMBLY JULY 7, 1997

AMENDED IN SENATE MARCH 31, 1997

**SENATE BILL**

**No. 687**

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**Introduced by Senator Hughes**

February 25, 1997

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An act to add Section 1374.14 to the Health and Safety Code, and to add Section 10123.86 to the Insurance Code, relating to health coverage.

LEGISLATIVE COUNSEL'S DIGEST

SB 687, as amended, Hughes. Health coverage: medical pain management services.

Existing law provides for the licensure and regulation of health care service plans administered by the Commissioner of Corporations. Under existing law, a willful violation of any of these provisions is punishable as either a felony or a misdemeanor. Existing law also provides for the regulation of policies of disability insurance administered by the Insurance Commissioner.

Existing law requires that health care service plans and disability insurers provide coverage for certain benefits and services.

This bill would require every health care service plan contract and certain disability insurance policies issued, amended, delivered, or renewed on or after January 1, 1998, to provide current and prospective beneficiaries, enrollees, and subscribers of the plan or prospective beneficiaries,

policyholders, and insureds under a disability policy with a description of any limitations, reductions, exceptions, or exclusions to coverage for medical services for relief of pain during childbirth by the plan or under the policy. A willful violation of the provisions applicable to health care service plans is a crime. Therefore, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature hereby finds and  
2 declares the following:

3 (a) Current and prospective beneficiaries, enrollees,  
4 subscribers, policyholders, and insureds of health care  
5 service plans and under disability insurance policies do  
6 not always understand the medical services for relief of  
7 pain during childbirth, including spinal or epidural  
8 analgesic for obstetrical patients in labor, that will and  
9 will not be covered under the plan or policy.

10 (b) Health care service plans and disability insurance  
11 policies should be required to provide information  
12 regarding any medical benefits and services for relief of  
13 pain during childbirth excluded or limited under the plan  
14 or policy to current and potential beneficiaries, enrollees,  
15 subscribers, policyholders, and insureds.

16 SEC. 2. Section 1374.14 is added to the Health and  
17 Safety Code, to read:

18 1374.14. Every health care service plan contract that  
19 is issued, amended, renewed, or delivered on or after  
20 January 1, 1998, shall provide current and prospective  
21 beneficiaries, enrollees, and subscribers of the plan with  
22 a description of any limitations, reductions, exceptions, or



1 exclusions to coverage for medical services for relief of  
2 pain during childbirth by the plan.

3 SEC. 3. Section 10123.86 is added to the Insurance  
4 Code, to read:

5 10123.86. (a) Every individual or group policy of  
6 disability insurance covering hospital, medical, or  
7 surgical expenses that is issued, amended, renewed, or  
8 delivered on or after January 1, 1998, shall provide  
9 current and prospective beneficiaries, policyholders, and  
10 insureds under the policy with a description of any  
11 limitations, reductions, exceptions, or exclusions to  
12 coverage for medical services for relief of pain during  
13 childbirth under the policy.

14 (b) *This section does not apply to specified accident,*  
15 *specified disease, hospital indemnity, medicare*  
16 *supplement, or long-term care policies.*

17 SEC. 4. The provisions of this act are severable. If any  
18 provision of this act or its application is held invalid, that  
19 invalidity shall not affect other provisions or applications  
20 that can be given effect without the invalid provision or  
21 application.

22 SEC. 5. No reimbursement is required by this act  
23 pursuant to Section 6 of Article XIII B of the California  
24 Constitution because the only costs that may be incurred  
25 by a local agency or school district will be incurred  
26 because this act creates a new crime or infraction,  
27 eliminates a crime or infraction, or changes the penalty  
28 for a crime or infraction, within the meaning of Section  
29 17556 of the Government Code, or changes the definition  
30 of a crime within the meaning of Section 6 of Article  
31 XIII B of the California Constitution.

32 Notwithstanding Section 17580 of the Government  
33 Code, unless otherwise specified, the provisions of this act  
34 shall become operative on the same date that the act  
35 takes effect pursuant to the California Constitution.